

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL FINOCCHIARO, ERIC MITCHELL,	:	15 Civ. 06385 (NRB)
RICHARD SELBY, YONG HOE TAN,	:	
DAVID COPELAND, DEAN BERGER,	:	ECF Case
JULIEN BOURDAILLET, CAMILLA	:	Electronically Filed
HEMPLEMAN, TERRY HEMPLEMAN,	:	
EVAN LITTLE, HAKIM KABIR, MICHAEL	:	
BRYAN,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
NQ MOBILE, INC., OMAR SHARIF KHAN,	:	
MATTHEW MATHISON,	:	
	:	
Defendants.	:	
	:	
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**NOTICE OF DEFENDANTS' JOINT MOTION
TO DISMISS THE FOURTH AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the Fourth Amended Complaint, dated May 10, 2017; the accompanying Memorandum of Law; the accompanying Declaration of Scott D. Musoff, dated May 24, 2017, and exhibits thereto; and upon all prior papers and proceedings herein, Defendants NQ Mobile, Inc., Omar Sharif Khan and Matthew Mathison will move this Court, before the Honorable Naomi Reice Buchwald, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time designated by the Court, pursuant to Federal Rules of Civil Procedure 8(a), 9(b) and 12(b)(6) and the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4, for an Order

(i) dismissing the Fourth Amended Complaint with prejudice; and (ii) granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York
May 24, 2017

Respectfully submitted,

/s/ Caryn G. Schechtman (with consent)

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